

**IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL**

Writ Petition No. 5160 (S/S) of 2001
Old No. 23262 of 1993

Mohd. Hanif Khan,
S/o Sri Ghasita,
resident of village Haivatpuri Chaudhariyan,
Mandi Dhanaura, Moradabad
presently posted as Junior Engineer (R.E.S)
Block Chinyalysaud, District – Uttar Kashi.

... Petitioner

Versus

1. Director cum Chief Engineer Rural Engineering Service, U.P. Lucknow.
2. The District Magistrate, Uttar Kashi.
3. The Block Development Officer, Chinyalysaud, District – Uttar Kashi.
4. Block Development Officer, Naugaon, Uttar Kashi.
5. Hari Singh, Gram Pradhan, Village – Garh, Block Naugaon, District – Uttar Kashi

... Respondents

Sri S.P. Shukla, learned counsel for the petitioner.
Learned Standing Counsel for the state.

Hon'ble M.M. Ghildiyal, J.

No one appears on behalf of the petitioner and learned Standing Counsel is present.

By means of this writ petition the petitioner has prayed to issue a writ in the nature of Certiorari quashing the order dated 7.4.1993 passed by respondent no. 2 – District Magistrate, Uttar Kashi suspending the petitioner, who was working as Junior Engineer (Rural Engineering Service) Vikas Khand, Chinyalyasaud, District – Uttar Kashi.

The petitioner was suspended in the year 1993. It is not clear from the record whether any Inquiry Officer was appointed or not?

Learned Standing Counsel could not show any document that the Inquiry Officer has been appointed in this case. In case, the Inquiry Officer has been appointed and the chargesheet has been submitted then the final order shall be passed within a period of six weeks. In case no chargesheet has been submitted till today respondents shall issue chargesheet to the petitioner within a period of two weeks and thereafter, the petitioner shall file the reply to the chargesheet within two weeks. Thereafter, the respondents in any case, shall pass the final order, within one month after receiving the reply from the petitioner.

With this direction the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

November 24, 2004

S.K.Sharma